THE PHANTOM ALIBI

By Frederick Irving Anderson

THE Presentation of a Case Unique in Detective Fiction by an Author Who Has Written Extensively Along This Particular Line.

"NO! no!" said Armiston, the extinct author, with the air of a sorely tried man doing his best to be civil. He turned to his desk, made a great to-do of being busy and interrputed. He had an impulse to rise and dismiss the persistent visitor with a bow. But he hesitated to be so abrupt. The fellow should take the hint!

"Murder," said the author, "is distinctly not in my line."

Oliver Armiston's visitor smiled, throwing a look of secret understanding at the fat Buddha who reposed among folds of flesh in one corner of the elegant room.

"You turned it to very good account once," he said mildly.

"I recollect your crew did me the compliment to tell me I was guilty," nodded Armiston.

"The guiltest man unhung!" retorted the visitor, with relish. "You procured that crime! Our moderation on that occasion still astonishes me."

He was a man of fierce aspect, but his eyes had the habit of merriment. Parr, the deputy commissioner, for it was that exalted policeman himself, was recalling an incident in Armiston's career several years gone by, when the famous author of thrillers was gulled by a clever stranger into solving as fiction what proved to be a problem of fact. The fertile author not only contrived (on paper) to rob the unprincipled wife of a diplomat, but when the tale was published, tasted the bitter triumph of finding the clever stranger had executed the crime according to printed direction, not even eluding the murder which to Armiston, engrossed in the plot, had seemed unavoidable. This atrocity, succeeded as it was by a mysterious gift from the grateful perpetrator, had created such a sensation as to drive Armiston into retirement. No! Decidedly murder was not in his line!

Parr rose. Armiston forbore to look up for fear of detaining him. But Parr was not departing. He removed his top coat, remarking it was warm, and sat down again, smiling with sly satisfaction.

"You inspired that crime," said Parr, easily.

"Your moderation on this occasion astonishes me!" broke in Armiston, testily. "You arrest a reputable citizen for murder. You admit that the mere statement of the known facts to any sane jury would convict him. And then, as an officer sworn to uphold the law, you come privately to me and say: 'Please, sir, as a personal favor, won't you prove my prisoner innocent.' Is the man innocent, then?"

"Yes."

"Then why arrest him; why accuse him of murder if you know that he is not guilty? Does the law require a victim? Do you intend to prosecute him?"

"Certainly. I have no option."

"Even if you know he is innocent?"

"Facts, my dear boy. Facts. I can't go behind facts. I can't. You can. That's why I come to you."

"How do you know he is innocent?" In spite of himself, Armiston was giving heed. Nevertheless, he was determined to smash Parr by logic, if insolence failed.

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"HOW does a bird know north in spring?" answered the imperturbable policeman, to whom nobody, not even his best friend, would have ascribed the smallest touch of imagination. He dealt with facts, as such; he was incapable of going beyond facts. He believed in shoe-leather and elbow-grease, not divination. Thus he had made his reputation as the very Nemesis of the law. And yet today he had come privately to the extinct author, whom he had not seen since that lamented circumstance of long ago, and said, somewhat astonished at his own words: "I am about to convict an innocent man of murder. Indeed I will, I must, unless you can find some way to prevent me." It was a tribute to the cogency of Armiston's fiction mind.

"Just what are the facts?" said Armiston, softening. And Parr, finally convinced that he had struck fire in his quest for subtlety of imagination to oppose his facts, hitched his chair nearer.

"Finger-prints——" he began.

"Bosh! Finger-prints are not facts!" cried Armiston, now fairly in the saddle. "Anybody can counterfeit finger-prints. It's merely a process of photography."

"There you are!" exclaimed the deputy, beaming on Buddha. "I didn't know that. I don't know it yet. Can it be done?"

Armiston daubed his thumb with the ink-bottle cork, and stamped it on a sheet of paper, making his own thumb print.

"Photograph that, life-size," said Oliver. "Print it on a pellicle of gelatin sensitized with bichromate of potash. Soak the gelatin in cold water. What have you? You will find on that pellicle of gelatin, in relief, the exact duplicate of the lines of my thumb. The lines stand up like type. Smear it with ink, grease, blood, anything—leave the imprint any place you want to—on a revolver handle, safe, door, window—any place."

"Marvelous!"

"Not at all. Elemental," corrected Armiston, dryly. "So much for your finger prints! It's as old as the art of photography—it's used as a commercial process, to imitate photogravures. The trouble with you, commissioner, is that you don't recognize a fact when you see it. You accept somebody's say-so. A finger print is reaped to you. It isn't to me. It's the first thing I suspect. I wonder how many poor devils you've sent up, with your facts." He paused, rather pleased with himself. "Now trot out some more facts." He looked at his watch, as a gentle suggestion that his amiable mood would be of brief duration. Parr settled himself restfully in his chair.

"The murdered man was Sauer—J. H. Sauer," said the deputy.

"A reputable party?"

"No, I believe not. He had a process for making gold out of aluminum. It can be done, I am told."

"Did he do it?"

"Well, he did, and he didn't," said Parr. "He quietly interested a few people—good people—Brown, president of the Elm Park Bank, and Westcott, a technical man employed in the assay office, as another. Why is it," asked Parr, "that the clever crook selects the expert for his boob? This one did. Imagine Brown and Westcott, of all men in the world, falling for that sort of thing—the two men who above all others should have been wary. He demonstrated his process for them, and they were convinced he had what he claimed. There would be a pot of money in it, of course. But it meant a costly plant, to start. Well, when he found he had these two hog-tied, when they were willing to back him to the limit, Sauer got cold feet."

"Sauer? That's a new line, for a crook." Armiston, idly whittling a pencil, looked up.

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"WAIT." Parr was warming up. "After he had convinced the experts, the inventor himself began to have doubts. They were willing to go ahead, but he wasn't. He got the queer idea that he had been fooling himself, that there was a flaw somewhere. There was quite a row, I believe; but he wouldn't go ahead. They repeated that they were satisfied. He told them he didn't think their opinion was worth two whoops. Finally Brown, the banker, who saw riches slipping away from him, asked Sauer if he would be content to call in an umpire and let him decide. Well, Sauer backed and filled, and finally he said if they would call in an expert of unquestioned authority, all right. He would abide by the verdict. He didn't seem to be worrying over the fact that he might be fooling them. That was their lookout. He was afraid he was fooling himself."

The functionary of police chuckled softly to himself.

"Armiston," he said, "you told me once you were interested in electrolytic work. Didn't you study at the Polytechnic?"

Armiston nodded. He indicated a file of electrolytic journals on the bookshelf as indication that this branch of science was one he pursued from day to day, as a hobby.

"You know the big men in that line," said Parr. "Whom would you pick for umpire Is there one outstanding man?"

"Pettibone—Dean Pettibone," said Armiston, without hesitation.

Parr nodded, as if he had expected this answer.

"They picked Pettibone," he said, turning to smile at Buddha.

"And he took one look, and gave them the laugh," put in Armiston. "I know just how he would do—without batting an eyelash. But what has this to do with murder, And your executing a man who didn't commit it?"

"Patience! I am coming to that," said Parr mildly. "Well, they made several dates. Pettibone agreed to come, not because he took any stock in it, but just to humor Brown. Then our friend Sauer contracted a jumping tooth. And for about three weeks he groaned in a dentist's chair, more concerned about saving that tooth than he was about his million dollars. Finally, the tooth was fixed up, and they had a session. Pettibone handed Sauer some aluminum, and Sauer went ahead with his usual hocus-pocus. When the thing was cooked, or pickled, or whatever there was to be done, he opened up the crucible to show the gold. Not a trace!"

Armiston grinned.

"Count on Petty for that!" he said.

"Well, they tried it again, and again. Nothing doing." Parr regarded Armiston with his dry smile. "It seems Sauer had been furnishing his own aluminum, hitherto. Salted it, I suppose. Those two experts never suspected him. You can get a trace of gold out of any sample of commercial aluminum—not enough to pay, but you can show it. Pettibone suspected what had happened. He handed Sauer a piece of chemically pure aluminum. And he didn't give him a chance to dope the brew. Then he laughed at him. There was quite a blow-up. Brown quit cold, feeling as if he'd been made a fool of. So did Westcott. They left in a huff. But Petty stayed behind. Sauer buttonholing him. The last Brown heard, Pettibone was explaining to Sauer, in words of one syllable, just what kind of a crook he was."

"He'd do that—make it a point of honor," agreed Armiston. He yawned. "This is all very thrilling, commissioner," he said. "But when do you produce the corpse?"

"Won't," said Parr, grimly.

"What? You can't execute a man for murder, in this state, without a corpus delicti."

"We can't produce it," repeated Parr. "And yet we are going to send Pettibone to the chair."

"Pettibone!" ejaculated the extinct author, now sitting up stark. "You're going to execute Pettibone?" he repeated. "Oh, my dear fellow! Come, this is too much of a good thing——"

"Pettibone was the last man seen the flour. A chair or two were upset "Something happened. Nobody knows just what. The engineer in the basement was roused by a racket. Then water began coming through the ceiling as if there was a flood upstairs. He called up the office, and with the nightman broke into Sauer's rooms, and found——"

"What?" exploded Armiston, for Parr had paused, smiling queerly.

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"NOTHING," said Byrnes. "Nobody there. The safe was open, a lot of papers were scattered about the floor. A chair or two were upset and broken; and the city water was pouring out of a broken pipe, from a connection that Sauer had had put in for his experiments. There had been a three-foot length of galvanized pipe over a lead sink. This pipe had been twisted off at the elbow, and there it lay on the floor. Somebody had been bludgeoned with it. On one end there was blood and hair. Otherwise—nothing."

Here the deputyp aused again for dramatic effect.

"Have I hooked you on now?" he demanded nasally.

Armiston had sprung to his feet and was pacing the floor. He stopped in front of Byrnes.

"Pettibone arrested for murder! Oh, come, Parr," he said disagreeably. "This is too stupid, even for you." Parr grinned, with no ill-feeling. This was why he had come; he had deliberately played for this explosion.

"But the body—what became of the body?" demanded Armiston.

"What becomes of a lump of sugar in a glass of water?" retorted Parr. "It dissolves." He said in the same odd tone: "Well, that's what happened to our friend Sauer. He dissolved."

"Dissolved?"

"Pettibone's fingerp rintsw ere on one end of that pipe," said the policeman.

"Finger prints, bah!" cried Armiston, angrily. To think that even police bungling would lay a sordid crime of this sort at the door of a man of Dean Pettibone's prestige was maddening.

"I will allow you that," said Parr. "But they led us to Petty. We searched his place. Why, I don't know. Only a fool would expect to find anything there. Still, he was the last man seen with Sauer alive—and something had happened to Sauer. In his laboratory Petty had a big lead tank full of liquid. We asked him what it was. He said it was residues. Residues of what, I don't know. Well, we drained that tank, and we found—this!"

He pushed his clubby fingers into a vest pocket and drew out a tiny ball of tissue paper, which he unwrapped carefully. He laid this small object of irregular shape on the desk. Armiston stared at it. He examined it under a magnifying glass.

"It's gold, isn't it?" he said, puzzled. Parr nodded.

"It's the residue of our friend Sauer," he said, coldly. "It is the corpus delicti that's going to convict Pettibone. It's the gold filling out of Sauer's tooth—the sole mortal remains of Sauer, that Pettibone couldn't dissolve in his vat."

Armiston sat down dumbstruck.

"Remember," continued Parr, with painful certitude, "it was only three weeks before that the dentist had made that filling. He used the amalgam process in making the pattern. He has the matrix—and it fits to a crossed "t" and a dotted "i." Furthermore," said the policeman, as he watched Armiston with keen eyes, "the dentist happens to have the preliminary rubber impression he took of Sauer's jaw. "You won't tell me you can counterfeit that. Those are the facts, Armiston," he concluded, and he leaned back in his chair to await the verdict.

In his school days Dean Pettibone had been Armiston's kindly guide and friend, one of those rare teachers who achieve something like saintship in the memory of their students.

"It's—preposterous——" Armiston began, and halted. "Are you going to maintain in court that dear old Petty—why, he doesn't weigh a good hundred pounds—carried the dead body of Sauer across town, in the middle of the night, to get rid of him in his vat?"

"'Preposterous?'" said Parr. "Not at all. It was midnight. Sauer's apartment was on the ground floor—with a private entrance in the side street. Pettibone admits he came and went in his coupe, alone. Nobody saw him leave Sauer's rooms. His laboratory is on a lonely road—I believe there was an element of danger in his research work, and a bad smell—and he had to get off by himself. Now do you say 'preposterous?'"

"Cobwebs!" cried Armiston, contemptuously. "Use a little reason, Parr."

"'Reason?'" said the deputy. "There is no reason in a crime of violence. But that——" He pointed to the tiny fragment of gold, every accidental irregularity of whose surface testified incontrovertibly to its identity. He turned fiercely on Armiston. "What are you going to do about that?"

"You can't establish a murder with only a gold tooth to show," muttered Armiston.

"Can't I? Take the classic Webster-Parkman case as an example."

The deputy commissioner rose and pulled on his coat slowly. "The jury won't leave its seat," he said, absently. "Regrettable, yes, to balance a man like Petty against a cheap trickster." He picked up the particle of gold and restored it to its tissue paper, and as he put it back in his pocket he murmured, "It will send your friend Petty to the chair."

Without a leave-taking he stalked out. In the street the police functionary permitted himself a complacent smile as he looked up at Armiston's windows. Unless he was very much mistaken, he had started a fire.

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WHEN Armiston emerged he at once became conscious of something in the air. Not infrequently, even in a city of such involved complexes as this, there comes a moment, an occasion, when street sweeper and applewoman, milady and her maid, stockbroker and greengrocer, think the same thought, as if an idea had become static, and anchored itself over them like a fog. On this day every street corner had its little group, heads together; in the restaurant where Armiston lunched usually decorous people craned their necks over their neighbors' newspapers; the female cashier instead of saying, "It's a nice day," said, "Wasn't it awful about the vat?"

The latest extra blared in large type: "Held Without Bail!" One couldn't escape it; in the quietest side street the eddies of the news danced and swirled, the vat murder was on the tip of the tongue wherever one turned. The sleuth hounds of the press, long fretting on leash, were loose, full cry. This single obscure crime summoned into being myriad phenomena of human interest and activity. On every corner stood impatient groups jingling pennies and waiting for fresh extras. It isn't often that the public gets a best-seller. When it does, newspaper circulation must stand ready to expand like a rubber band.

Momentarily there had been doubt, unbelief. But the facts were overwhelming. Then, as if by some common process of thought, the world of newspaper readers became sophists. At Armiston's club his friend Ballard voiced the tone of public debate when he said:

"The real crime was Pettibone's overlooking that gold tooth. He deserves the chair for that. Pettibone, a chemist, tripping up on a solvent for gold! I condemn his bungling after the blow was struck. But for the grace of God—as some one said somewhere," said Ballard, eyeing the cultivated circle, "you or I might have struck that blow. In each of us is a moment of blind fury, waiting to be summoned. Most of us escape the summons. Pettibone didn't. What then? Should his career of public usefulness be annihilated simply because instinct overwhelmed reason, for a split second? I say, no!"

"I say, no!" responded several of the circle.

"Pettibone is a man of rare mind," went on the sophist. "He knew what he had to lose. Therefore the more reason to conceal his act. And he, a chemist," cried Ballard in disgust, "trips up on a problem a schoolboy wouldn't have missed—the solvent for gold."

"What is the defense?" asked Armiston, for Ballard was a famous pleader.

"None!" said the lawyer savagely. "Not yet—not for another hundred years. Sauer was a despicable swindler. A decent man, a righteous man, removes him—kills him. And now we, in the name of justice, purpose to annihilate Pettibone, a man with a brain a thousand years ahead of his time!"

Armiston went through a daily ritual before his typewriter. He inserted a recording sheet, lightly brushed his finger tips, and gazed abstractedly at the keys. He had great faith in this oracle; time and again, with almost clairvoyant powers, it had solved problems for him. It was probable that the cerebral ganglion in Armiston's finger tips led him, on those occasions, through the maze of the keyboard. But now the oracle was mute.

"Petty slipped up, for once in his life," mused Armiston for the hundredth time as he stared at the blank wall with opaque eyes, his fingers poised above the keys.

Then suddenly, and without admonitory signal, the oracle spoke! Armiston's fingers, moving mechanically, tapped the keys.

"Did Sauer?" demanded the typewriter.

Armiston felt a queer pricking at the back of his neck. There was something uncanny in the way those two words spontaneously formed themselves before his eyes. He let his thoughts drift. Did Sauer? Did Sauer slip up any place?

That was as far as he could get. The typewriter relapsed into Delphian silence, his fingers refused to move.

"Obviously," said Armiston, "that implies motive, on the part of Sauer."

The oracle refused to be drawn into an argument.

Armiston took a stroll through the park, conjuring himself to think. But that typewriter had become so necessary to his process of thought in his years of scribbling that without it he found himself stranded.

"Parr," he said to that person of the police an hour later, "who was Sauer? Did he ever really exist?"

"Apparently he was a fact. You might ask Brown, or Westcott," answered Parr.

"Who was he, before he came here?"

"A mining engineer," said Parr. "Brown looked up his references. Sauer wasn't exactly a shade, Armiston. He was flesh and blood enough to be bashed on the head with a bludgeon."

Oliver ignored the sarcasm.

"What did he leave as an estate, besides that gold filling?" he persisted.

"There's a bank balance—about $800."

"That's something. What else?"

This was a demand for material detail, not the flash of divination the deputy had hoped for when first he laid before the extinct author the advance proofs of the now-celebrated vat murder. He drew forth a small bundle of slips, on which J. H. Sauer had, on one insignificant occasion or another, signed his name. It was the handwriting of a habitual draughtsman, as characteristic in its way as that of a telegrapher. Armiston studied the script with the interest of one who, for the first time, comes on the incontrovertible proof of the life and activity of a person who heretofore has existed for him merely as a name.

The sprite here nudged Oliver's elbow.

"Did Sauer?" it whispered, out of the thin air. Armiston departed. Late in the afternoon he presented himself at the home of Dean Pettibone, a little red brick house encircled by a veranda, near the university. Armiston had smoked many a contemplative pipe here, in his school days, and the sight of the comfortable study with its swept hearth, gave him a pang. Parr had given him a line to the policeman in charge, for the law had put its seals here.

"I'm trying to help," he explained lamely to the dried-up little secretary, a woman who had not aged by a hair in twenty years, as he remembered her. "We are all trying to help. I want to look round."

"His life is an open book," she said.

"You remember his 'log.' They've been through it again and again."

It was a life of an open book, a book of volumes. Dean Pettibone's one marked peculiarity was the desire to set down everything from day to day, as a conscientious navigator would make up his log. Pettibone, with the precise mind of a born scientist, had the habit of saying that of all the human faculties, one's memory was the least entitled to trust and respect. Endowed with a photographic memory, he never permitted himself to trust it. That Sauer should not have left some premonitory shadow in this human document, which reflected so minutely, seemed absurd—at least from a metaphysical standpoint. But Armiston was not voyaging in the realms of metaphysics, as he turned page after page, under the scrutiny of the uneasy policeman and the anxious little old maid.

A month passed. The rubber band of public interest, measured by the barometer of newspaper circulation, was moving on through other fields of force. The vat murder had subsided. On the side of Pettibone there was nothing to be expected. The dean had contented himself with a single explicit statement, in the beginning. His respect for words and their uses gave his denial of guilt at once a simplicity and a completeness that were almost classic. Here was a man accused of murder, with no resources save the dignity of his bare word, who made no effort to conceal his contempt for the stupidity of inflexible justice. The little savant passed his days of waiting in a cell and amid peace and quiet that he had always craved, but never before achieved. He immured himself and begged his friends to spare him, he buried himself in his books.

The mighty voice of the press even found time to record with much



"YOU DIE! YOU DIE NOW! I TAKE YOU WITH ME!" IT WAS ARMISTON WHO FELL ON THE ADVANCING MADMAN AS HE TOWERED OVER THE LITTLE DEAN, AND THE PAIR WENT TO THE FLOOR WITH A CRASH.

humor how Oliver Armiston, the once popular author of thrillers, absentmindedly dropped his eyeglasses into a mailbox instead of a letter, rendering himself visually helpless until a postman appeared and permitted the author to paw among the letters for his lenses.

"They never come back!" muttered the deputy commissioner with conviction, as he noted this silly item. More and more, as the days dragged on without incident, the police official regretted having exposed his own fallibility to the extinct author in the vain hope of some super-normal help.

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"THE state rests."

Fielder, the district attorney, turned to Ballard, counsel for the accused, and as he sat down he muttered under his breath in a tone that carried only to that man's ears:

"God help you! I have done what I could. Facts are facts!"

Parr sat back in his chair, his arms folded across his chest, looking glum. Judge and jury turned expectantly to Ballard, famous barrister, who had stepped into the case at the last minute. During the presentation of the state's evidence against his client Ballard had indulged only in formalities: in several incidents it seemed that he went to extraordinary lengths in inducing witnesses to emphasize the damning facts of their testimony. "Make a plea. We will accept anything in reason," muttered the district attorney under his breath. Ballard turned on him a look of slow astonishment, and indicated the placid little figure of the prisoner with a slight nod, as who should say: "Can you imagine such a man as that accepting a mitigation of the charge!"

Ballard rose to his feet, stood for a long time surveying the jury, whose appetite had been whetted for one of the great forensic addresses for which this man was famous. The master of sheer oratory, that curious species of hypnotism by which one man molds the mind of a mob, said only:

"The defense will call only one witness in refutation."

A little thrill ran through the room. Ballard looked at his watch and stepped to the bench, where he consulted in low tones with the court and the prosecutor, and a brief recess was declared. Courtroom and jury box, held in vague suspense, waited; the scene wore than tension of dramatic action momentarily halted. The first interruption was the entrance, somewhat breathlessly, of Oliver Armiston; he dropped into a seat beside Ballard, giving the inquiring deputy a scant nod. Parr noted with surprise that the extinct author sported a badly swollen eye. The green doors opened a second time, and two court officers appeared, followed by a middle-aged man, evidently a person of some position in life. He looked neither to right nor left, as he came down the aisle and stolidly took his place in the witness chair, as the court was called to order again. Then he glanced around stiffly, and when he encountered the face of Dean Pettibone, his eyes lingered there for a moment.

"Your name?" said Ballard.

The witness wet his lips.

"Hilary Jerome Swett."

"Your occupation?"

"I am an inventor," said the man, looking curiously over the jury.

"Do you know the defendant, Mr. Swett?" pursued Ballard.

The witness nodded, and turned his gaze again on Pettibone.

"When did you last see him?"

"In 1912," said the witness, without hesitation. "In the federal court."

"What was the occasion?"

"A patent suit," responded Swett acidly. His eyes, as if drawn by fascination, again sought the prisoner's face.

"You were an interested party?

"I was the plaintiff."

"And Dean Pettibone?"

"He was called to give expert testimony." The man drew a deep breath, and the whole room hitched forward in its seats.

"What was the outcome of the suit, Mr. Swett."

"I lost—my case was thrown out of court." The words were so low as to be hardly audible. Ballard moved slowly back and forth before the witness.

"Was the expert testimony responsible for the verdict?" he asked finally.

"Yes," he said; the witness seemed now to have thoroughly recovered his composure. "Wholly," he added.

Ballard picked up one of the exhibits on the table and examined it absently for a moment. Then he raised his eyes to the witness and asked with great gravity:

"Are your teeth entire, Mr. Swett?"

The effect of this qusetion was like a pistol shot. The dean, the prosecutor, even the court, exclaimed audibly. The witness started, violently; he blanched. He grasped the arms of the chair until the veins stood out on his wrists, and, turning mechanically, he sought again the now searching eyes of the prisoner.

"Are all your teeth intact, Mr. Swett?" persisted the lawyer, cold and incisive. He held up to view the object in his hand; it was the rubber impression of the upper jaw of the murdered man, one incontrovertible link in the chain of circumstantial evidence that the law had been forging about Dean Pettibone these last three days.

"I ask particularly," continued Ballard, now suddenly stentorian, "about the first biscuspid, of the right upper jaw. Will you please show the jury," he urged, advancing on the witness, who seemed to hvae become stone. Ballard opened his own mouth and indicated with a finger the tooth.

The answer was unexpected action, almost too swift for the staring eyes to register. With a single bound, Swett was out of his seat; he cleared the steps in a stride and bowled over the obstructing figure of his tormentor. With almost the same gesture he seized a chair, and raising it above his head, charged on Dean Pettibone, crying shrilly:

"You die! You die now! I take you with me!"

It was Armiston, unused to protective reflexes, as he was, who fell on the advancing madman as he towered over the little dean, and the pair went to the floor with a crash. The next instant the court officers had pinioned the struggling Swett.

"Your honor, and gentlemen of the jury!" rang out the triumphant voice of Ballard, over the din of pounding gavel and the shouts of the officers restoring order, "behold the corpus delicti! Behold the murdered man, in person!"

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"SAUER was a phantom," said Armiston, molding a cigarette with finished care. He was tasting tribute. This was the first time wittingly the author had ever set the stage of his typewriter with real characters and watched them walk through their parts. "Luckily we were able to provide the corpus delicti with an alibi. Else," added the beaming author, turning to the little dean, who sat balanced on the end of a sofa, "our conscientious friend here might have added another notch to his gun, Dean."

Parr took this sally woodenly.

"Ninety-nine per cent of my work is common sense," said he. "I leave the ouija board 1 per cent to the fiction writers."

"Swett set up the fictitious identity of Sauer, with proper make-up, to be murdered," went on the author. "That was his game from the beginning. He took eight years to do it. Once he established the identity, he plotted to be brought to Pettibone, to quarrel with him, to have Pettibone the last man seen with him alive. Then he planted his bludgeon, his fake finger prints and the gold filling—and vanished, leaving the rest to Parr. That's all there is to it."

"But how—how?" demanded Parr, who had arrived at the state of openly admiring his own perspicacity in enlisting the aid of the hectic author.

"Habit," said Oliver sententiously. "It's the strongest impulse we have. It's not born; it's acquired. It attacks man's faculties in their weakest spot. If you ask the dean, he will tell you that man's weakest faculty is his memory."

The dean admitted as much with a nod.

"But how—how did you trace him—how did you catch him?" insisted the deputy, in his hunger for facts.

"He caught himself," said Armiston. "You went ahead on the belief that it was the dean who erred. It wasn't the dean. It was Sauer. You had seventy-three copies of J. H. Sauer's signature, Parr. I dug up thirty-six more. Once he signed it 'H. J.,' instead of 'J. H.' There is one thing in the world a man isn't apt to forget—although the dean won't admit it. That's his own name. J. H. Sauer did. Once! That was enough," Armiston laughed, shaking his head at the deputy. "Parr, it all lay before your eyes, waiting to be picked up."

"Still I don't see," said the deputy. "Swett hasn't a criminal record. How trace one 'H. J. Somebody' among a million?"

"Oh, it wasn't as bad as that," laughed Armiston. "The only 'H. J. Somebody' to interest me would be in Pettibone's log book. I found H. J. Swett's name there. That was enough to go on. Then I found H. J. Swett himself, living obscurely—the discredited plaintiff of a million-dollar patent suit, can't exactly lose himself. During the three months J. H. Sauer was dickering with Brown and Westcott to be brought to Pettibone there was no trace of J. H. Swett. That was another trump card. Then I wanted his handwriting. I schemed all sorts of ways, but failed. Finally I robbed the mails." Oliver shook with merriment. "I saw him mail a letter. After he was gone I absent-mindedly mailed my own eyeglasses in that same drop-box, and then yelled bloody murder, till the postman came along and opened the box for me. Then with a facility that actually alarmed me I palmed Swett's letter. There was no doubt which one it was when I saw the handwriting."

The little circle, Ballard, Parr, the district attorney and the dean himself nodded their admiration at this confession of robbery of the sacred mails.

"That brings us to the final curtain. I wanted to ask J. H. Swett one question—about that tooth. He must have pulled it, to extract that gold filling. Then he probably had another put in, in its place. How to find out, stumped me. I consulted Ballard, who has the direct mind of a child, and some lawyers," said Armiston. "Ballard said, 'Put him on the stand as a material witness, and ask him.' Nothing simpler. Swett might reasonably be called as a witness, because he lost a million dollars through the dean's expert testimony in that patent suit. It jarred Swett when he found where he was. But he had great nerve, and he carried it through, until Ballard asked him about that tooth. Then you saw what happened."

The author tenderly caressed his swollen eye, now rapidly taking on a violet hue.

"Swett had been living pretty retired," he went on. "He was reading all the papers, and gloating—but he stayed behind his shutters. This morning, I think, he got nervous. He ran out his car and started off uptown. There was only one way to stop him. Ram him! I rammed him! Then I smashed him in the eyes with my fist, accusing him of wrecking me. We were knocking off each other's hat when a cop pried us apart and took us to jail. He didn't dare ask for bail—so we had him on ice, so to speak."

The little group broke up. Dean Pettibone sat for some time with his hand shading his eyes, as he codified his thoughts. Then, "Miss Pruyn!" he called, and his little secretary entered. "Will you please take dictation, Miss Pruyn," he said gently, drawing up a chair for her, and taking up his notes. "We have quite a hiatus to fill, haven't we? One must never neglect such things."

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Sour Grapes.

A CONGRESSMAN was talking in Atlantic City about a ferocious attack which an editor had made on politics and politicians.

"Sour grapes," he said. "The man wanted to run for Congress and his party turned him down.

"His talk now reminds me of the chap who proposed to Lotta Golde, the old-maid heiress. Lotta, the proposal over, shook her head and said:

"'No, Mr. Ostrander; a thousand times no. It isn't merely that I do not love you; the truth is that you are even repulsive to me. I am surprised that you risked this declaration. Could you not read your rejection in my face?

"The well known sour grape look gleamed in young Ostrander's eyes as he gave a harsh laugh and retorted:

"'No. I was never any good at reading between the lines.'"

Lardner Makes Othello "Easy to Understand

BY RING W. LARDNER.

TO the Editor: Well since the last time I wrote you a letter I been to the Manhattan opera house and seen the Chicago opera Co. that I use to see them free for nothing when I lived in old Chi, as the society editor on one of the papers ust to take me along to tell her who was who in the different boxes and what their dress suit was made of and etc., but now I got to pay $4.40 and up to get in and up because I have not been in N. Y. society long enough yet to know everybody's 1st name, and besides the N. Y. papers has quit trying to print everybody's name that has got a dress suit. So all and all I am not ½ as much of a opera fan like I use to be but when I got marred they put a clause in the contract that says we got to go to opera at lease once a yr. and the subject has been brought-en up out to my house several times since the Metropolitan season opened, but I kept saying: "Wait till the Chicago Co. comes along so as we can hear singers that is not so old that their voices has begin to crack."

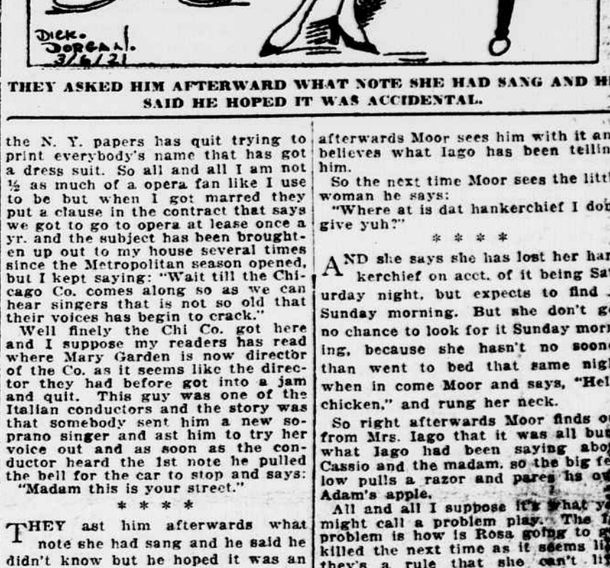
Well finely the Chi Co. got here and I suppose my readers has read where Mary Garden is now director of the Co. as it seems like the director they had before got into a jam and quit. This guy was one of the Italian conductors and the story was that somebody sent him a new soprano singer and ast him to try her voice out and as soon as the conductor heard the 1st note he pulled the bell for the car to stop and says: "Madam this is your street."

* * * *

THEY ast him afterwards what note she had sang and he said he didn't know but he hoped it was an accidental.

The conductor give her a transfer on a through route line that took her over amongst the starveing children but before she went she had the satisfaction of seeing them give the director's job to Miss Garden as they figured that a woman was better equipped for trying out them new voices on acct. of wearing her hair over her ears.

Well Mary got here with her Co. and I pretended for a wk. like I didn't know it but finely had to admit it and we looked up in the paper for the program and picked out the following Sat. night witch was Rosa Raisa and Chas. Marshall and Treatem Ruffo in Othello. Rosa is the best singer in the world as far as I am conserned though the N. Y. critics generally always says her voice is too loud or something, but that is probably because they been use to the Metropolitan opera sopranos that if you don't park pretty close to the stage you would think they was in a moveing picture. Anyway, Rosa don't never sound too loud where I set when they's no society



THEY ASKED HIM AFTERWARD WHAT NOTE SHE HAD SANG AND HE SAID HE HOPED IT WAS ACCIDENTAL.



THEY NEW YORK PAPERS HAS QUIT TRYING TO PRINT EVERYBODY'S NAME THAT HAS GOT A DRESS SUIT.

editor handy. And these seats is just as good as anywheres else after you get your breath.

Maybe some of my readers seen Othello when it was a play. Wm. Shakespeare wrote it, but it was a flop in play form and laid in the ware house till Verdi the song writer got a hold of it and turned it into a musical show. But some of Shakespeare's lines was so raw that they had to translate all the words into garlic and you can't tell what it's all about unless you seen it as a play.

* * * *

THE hero is a tenor singer named Othello that is a gen. in the Venice army. He is marred to a white gal named Desdemona that some fortune teller must of told her they would be a dark man in her future. Well one of the birds on Gen. Moor's staff is a man named Iago that has got a gruge vs. Moor, Iago that has got a gruge vs. Moor, and to get even with him he decides to try and make Moor believe that the little woman is flirting with a 2d lieut. named Cassio.

They's a big party going on and everybody has broughten something along on the hip and they all get a singing jab and Iago has some home made fighting spirits that he makes Cassio drink a pt. of it and the next thing you know Cassio is acting like champagne with a chorus girl, when he was supposed to be at work on a new poem.

"He didn't deny the charge.

"'I thought you understood, my dear,' he said, 'that I am too good to be true.'"

afterwards Moor sees him with it and believes what Iago has been telling him.

So the next time Moor sees the little woman he says:

"Where at is dat hankerchief I done give yuh?"

* * * *

AND she says she has lost her hankerchief on acct. of it being Saturday night, but expects to find it Sunday morning. But she don't get no chance to look for it Sunday morning, because she hasn't no sooner than went to bed that same night when in come Moor and says, "Hello chicken," and rung her neck.

So right afterwards Moor finds out from Mrs. Iago that it was all built what Iago had been saying about Cassio and the madam, so the big fellow pulls a razor and pares his own Adam's apple.

All and all I suppose it's what you might call a problem play. The big problem is how is Rosa going to get killed the next time as it seems like they's a rule that she can't live through a whole opera. This time she got her neck rang and at different times I have saw her get stabbed and lap up poison and jump in a bonfire and lock herself in a safety deposit vault.

And the 2d problem is whether it is nessary for a man to ring their wife's neck when she can't find her hankerchief. If it is my advice is to sell motherless children short as they will soon be at lease 4 of them throwed on the market. RING W. LARDNER.

Great Neck, March 5.

A Story of the Stage.

BETTERTON BOOTH, the aged tragedian, told on his eightieth birthday at his daughter's home in Cleveland a number of theatrical reminiscences.

"And then there's a theatrical man," he said, "who didn't learn to read and write till late in life. One evening Fiasco—that's the rascal's name—attended a supper party, where a diamond ring was raffled off by a hard-up soubrette. For the raffle you had to write your name on a slip of paper and drop it in a hat. Fiasco was in great distress. What was he to do? He'd have died of shame if it came out in this public fashion that he coudln't write.

"Well, the papers were dropped in the hat one by one, and when the hat was passed to Fiasco he dropped in a blank piece, after pretending to write on it, of course.

"The rule of the raffle was that the first name taken out of the hat would win the diamond; so a comedian was blindfolded, he pawed among the papers, and it happened that Fiasco's was the one he took out.

"Everybody was astonished that the paper contained no name. It passed around the table, and finally a malicious young ingenue got hold of it. She studied it carefully, and then she said with a malicious smile:

"'Mr. Fiasco wins. This is his handwriting. I'd know it anywhere.'"

In the Bible.

BISHOP HOSS said at a Nashville picnic:

"The religious knowledge of too many adults resembles, I am afraid, the religious knowledge of little Eve.

"'So you attend Sunday school regularly?' the minister said to little Eve.

"'Oh, yes, sir,' said she.

"'And you know your Bible?'

"'Oh, yes, sir.'

"'Could you, perhaps, tell me something that's in it?'

"'I could tell you everything that's in it?'

"'Indeed!' And the minister smiled. 'Do tell me, then.'

"'Sister's beau's photo is in it,' said little Eve, promptly, 'and ma's recipe for vanishin' cream is in it and a lock of my hair cut off when I was a baby is in it, and the ticket for pa's watch is in it.'"

Artistic Temperament.

THE late William Dean Howells had no faith in the Greenwich Village doctrine that the "artistic temperament" pardons all things—that authors and actors do not have to behave themselves like other men.

"I used to know a poet," he said one day at Kittery Point. "This poet was very conceited. He neglected his wife, of course.

"His wife once took him to task for philandering. She wept as she told how she had seen him drinking champagne with a chorus girl, when he was supposed to be at work on a new poem.

"He didn't deny the charge.

"'I thought you understood, my dear,' he said, 'that I am too good to be true.'"